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PATENT, TRADEMARK, COPYRIGHT,
TRADE SECRET AND UNFAIR COMPETITION

File No.: HE B022

Date: October 8, 2003

In re application of: Jackson, et al.
Serial No.: 09/576,442
Filed: May 22, 2000
For: Self-Calibrating, Multi-Camera Machine Vision Measuring System

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is:

☒ A "Protest Under 37 CFR 1.291(a)"

The Commissioner is hereby authorized to charge any additional fees or credit overpayment under 37 CFR 1.16 and 1.17, which may be required by this paper to Deposit Account 162201. *Duplicate copies of this sheet are enclosed.*

Mark E. Books

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Registration No: 40,918

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	David A. Jackson; Michael J. Robb; Donald L. Walchuk
SERIAL NO.:	09/576,442
EXAMINER:	
FILED:	May 22, 2000
FOR:	"Self-Calibrating, Multi-Camera Machine Vision Measuring System"

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Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 8, 2003
St. Louis, Missouri

PROTEST UNDER 37 CFR 1.291(a)
(Copy Served To Applicant's Last-Known Attorney)

Sir:

The following information is submitted as relevant to the examination of the above-identified U.S. Patent Application. Protestor respectfully points out that, from an analysis of the claims in a published foreign patent document claiming priority from U.S. Application No. 09/576,442, and in published U.S. divisional patent application No. 10/162,554, that a number of the claims in the present application set forth no inventive concepts. Rather, this application seeks to claim machine vision self-calibration concepts in vehicle wheel alignment systems which are either anticipated or rendered obvious by machine-vision and wheel alignment technologies well-known over a year prior to the priority date of the 09/576,442 patent application.

RELEVANT INFORMATION:

1. U.S. Patent No. 6,594,600 B1 to *Arnoul et al.* issued on July 15, 2003 from U.S. Patent Application No. 09/331,112, claiming priority from French patent application No. 97 13375 filed on October 24, 1997. (Cover sheet, Figure 9, Col. 12 and 13).

REASONS FOR RELEVANCE:

1. US Patent No. 6,594,600 B1 to *Arnoul et al.* for "Method For Calibrating The Initial Position and the Orientation of One or Several Mobile Cameras" issued on July 15, 2003. The '600 *Arnoul et al.* patent corresponds to EP Patent No. 0 948 760 B1 and WO Application No. 99/22281, each to *Commissariat a L'Energie Atomique* and also for a "Method For Calibrating The Initial Position and the Orientation of One or Several Mobile Cameras". The EP and WO references, published in French, were previously submitted under 37 CFR 1.291(a) together with an uncertified English language translation of selected portions thereof. The '600 *Arnoul et al.* patent, being in English, is believed to provide a more complete translation.

Both the present application in which this protest is being submitted and the '600 *Arnoul et al.* patent are understood to seek to improve machine-vision based vehicle wheel alignment systems by eliminating the requirement of a fixed mounting structure for the machine vision systems. (See: Figure 9 and Col. 12, line 27 to Col. 13, Line 24 of the '600 *Arnoul et al.* patent; page 2 of the WO 01/71280 to *Snap-On Technologies, Inc.*)

As shown in Figure 9 of the '600 *Arnoul et al.* patent, and set forth in the specification, the '600 *Arnoul et al.* patent clearly illustrates an apparatus for calibrating a machine measuring system, such as a vehicle wheel alignment system, having a first measuring device (52), and a second measuring device (51). A calibration target (59) is mounted in a predetermined relationship to the first measuring device of the system. A third measuring device (53) is mounted in a predetermined relationship to the second measuring device (51). A processing system is included to calculate the relative position of the first measuring device (52) relative to the second measuring device (51) based on the relative position of the calibration target (59) to the third measuring device (53).

The '600 *Arnoul et al.* patent specification describes how it is possible to provide the transformation of reference between the first and second measuring devices (cameras 52 and 51) regardless of the approximate positions of the measuring devices, using the images captured by the third measuring device (calibration camera 53). The '600 *Arnoul et al.* patent specification further states that this procedure could be generalized for all systems containing several observational cameras for which the views must be correlated between them to juxtapose and reconstruct the object or deduct the characteristics of the space observed.

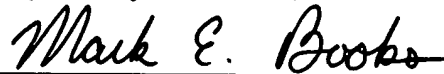
2. The following chart identifies the relationship between each of the above-cited references and the claims found in published WO Patent No. 01/71280, which claims priority from U.S. Patent Application No. 09/576,442. It is believed

that the subject matter of the claims published in WO Patent No. 01/71280 is substantially similar to that of the claims pending in U.S. Patent Application No. 09/576,442.

REFERENCE NO.	RELEVANT TO THE SUBJECT MATTER SET FORTH IN WO 01/71280 CLAIMS:
1	1-7, 11-17, 19-27, and 31-43.

In summary, a number of the allegedly patentable features disclosed and claimed in United States Patent Application No. 09/576,442 to *Jackson, et al.*, filed on May 22, 2000, are believed to be fully disclosed by, or rendered obvious by, prior art references such as U.S. Patent No. 6,594,600 B1 to *Arnoul et al.*, as is illustrated in the above-referenced document.

Respectfully submitted,



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Assistant Commissioner for Patents
Washington, DC 20231,

and that in compliance with 37 CFR 1.99(c) and 37 CFR 1.248(a)(4), a second copy of this correspondence and all attachments is being deposited with the U.S. Postal Service on 10/8/03 as first class mail in an envelope addressed to:

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listed as the Correspondence Address for U.S. Patent Application Publication 2003/0065466 A1 corresponding to U.S. Patent Application No. 10/162,554, which is a divisional application of U.S. Patent Application No. 09/576,442.

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